

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF

SHELLSTROM CONDOMINIUMS, TPM 20850, S 04-066, LOG NO. 04-14-025

August 14, 2008

COMMENT TO STAFF: The Project Analyst must ensure that all applicable environmental ordinances are complied with to the extent that these ordinances apply to the project.

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The proposed project and any off-site improvements are located within the boundaries of the Multiple Species Conservation Program. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The project proposes to build four, two-story, two-bedroom condominium units on the last undeveloped lot on Lakeshore Drive in the Community Planning area of Lakeside. The project site is located within the *Metro-Lakeside-Jamul* segment of the County's Multiple Species Conservation Program (MSCP) Subarea Plan. The project is therefore required to conform to the MSCP and the Biological Mitigation Ordinance.

There are no sensitive habitats or species within the proposed project area. The site is entirely **urban/ developed** and does not support native vegetation. As a Tier IV habitat, no on-site preservation is required and impacts to **urban/developed habitat** do not require mitigation under the Biological Mitigation Ordinance. No impacts to wildlife corridors or linkages will occur as the project site does not support geological, topographic or habitat features that would function in a corridor capacity. Furthermore, the site is not classified as a Biological Resource Core Area as it is not within the Pre-Approved Mitigation Area, is not within or adjacent to a large block of undisturbed

habitat, is not mapped as having high habitat value and does not support sensitive species. Given the current site conditions and the surrounding land uses, development of this project will not hinder the formation of a future preserve system.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The project will obtain its water supply from the Lakeside Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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The Steep Slope section (Section 86.604(e))?

YES
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NO
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NOT APPLICABLE/EXEMPT
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The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

Wetland and Wetland Buffers:

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year.

Even though wetlands and/or wetland buffer areas have been identified on the project, the project has been found to be consistent with Article IV of the Resource Protection Ordinance, due to the following reasons: a) the project will not place any non-permitted

uses within wetlands; b) the project will not allow grading, filling, construction, or placement of structures within identified wetlands; and c) the project will not allow any non-permitted uses within wetland buffer areas.

Floodways and Floodplain Fringe:

The project is not located near any floodway or floodplain fringe area as defined in the resource protection ordinance, nor is it near a watercourse plotted on any official County floodway or floodplain map.

Steep Slopes:

The average slope for the property is one (1) percent gradient. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. The project is in conformance with the RPO.

Sensitive Habitats:

No sensitive habitat lands were identified on the site as determined on a site visit conducted by Gail Wright on August 6, 2004, and a discussion with staff Biologist Mindy Fogg on December 10, 2004. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the Resource Protection Ordinance.

Significant Prehistoric and Historic Sites:

Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs by County of San Diego staff archaeologist, Gail Wright, it has been determined that the project site does not contain any archaeological resources.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES
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NO
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NOT APPLICABLE
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Discussion:

The project Storm Water Management Plan received January 31, 2006, was reviewed for this project and appears to be complete and in compliance with the WPO.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES
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NO
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NOT APPLICABLE
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Discussion:

Even though the proposal could generate potentially significant noise levels (i.e., in excess of the County General Plan or Noise Ordinance), the following noise mitigation measures are proposed to reduce the noise impacts to applicable limits:

Based on a Noise Analysis prepared by Eilar Associates and dated October 18, 2007, sound barrier mitigation will ensure that project implementation will not expose existing or planned noise sensitive areas to road, airport, heliport, railroad, industrial or other noise in excess of the CNEL 60 dB(A). Sound barriers will consist of a 12-foot high CMU sound barrier along the northern property line, a 9-foot high CMU sound barrier along the western property line and a 6-foot high sound barrier along the eastern property line. Implementation of these sound barrier mitigation measures will reduce noise levels to the Northern Common Open Space to 58.3 dBA CNEL complying with the County Noise Element noise sensitive land use requirement of 60 dBA CNEL. Additionally, tentative parcel map (TPM20850) will be conditioned to have a noise protection easement over the entire site to ensure the noise levels will comply with the exterior and interior noise level requirement. Therefore, the project will not expose people to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan, Noise Element.